

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

L.T AND M.T. by their parent Jeffrey N. Thomas,  
JEFFREY N. THOMAS as parent of L.T and M.T.;  
T.L., B.L., R.L., A.L. by their parent Karen  
LeClair; KAREN LECLAIR as parent of T.L.,  
B.L., R.L., A.L.; J.S. by his parent Danielle  
Schipano; DANIELLE SCHIPANO as parent of  
J.S.; B.P by his parent Andrea Penamora,  
ANDREA PENAMORA as parent of B.P.; E.W. by  
her parent Joseph Whitehead; and JOSEPH  
WHITEHEAD as parent of E.W.

Plaintiffs,

vs.

Civil Action No.: 1:21-cv-1034 (LEK/DJS)

**Declaration of Daniel W. Stock**

HOWARD A. ZUCKER, in his official capacity  
and in his individual capacity,

Defendant.

**Declaration of Daniel W. Stock**

Daniel W. Stock, M.D., pursuant to 28 U.S.C. §1746, declares that:

1. I am medical doctor duly licensed to practice medicine in Indiana. I have been a family practice physician for approximately 30 years. Attached hereto as **Exhibit A** is a true and accurate copy of my *Curriculum Vitae*.
2. I have firsthand personal knowledge of the facts set forth below and could competently testify about them if called as a witness.

3. Based on my education, training, experience, and ongoing review of the academic literature in the context of COVID-19, it is my professional opinion that mask mandates in schools are highly detrimental to the health and wellbeing of children and unnecessarily restrict children's ability to learn, communicate, and receive communication.
4. In mask wearing, trapped air remains between the mouth, nose and the facemask and is thus rebreathed repeatedly in and out of the body, containing low O<sub>2</sub> and high CO<sub>2</sub> concentrations. In particular, children who wear masks experience an increase in carbon dioxide (CO<sub>2</sub>) intake which corresponds to increased CO<sub>2</sub> levels in the children's blood. This condition is called hypercapnia.
5. Concomitantly, children who wear masks experience a decrease in oxygen (O<sub>2</sub>) intake which correspondences to decreased O<sub>2</sub> levels in the children's blood. This condition is called hypoxemia. This effect is greater and occurs more quickly the smaller the child because of the increased ratio of mask dead space to lung volume. This has significant mental health and brain function side effects.
6. Raising the CO<sub>2</sub> level and lowering the O<sub>2</sub> level must obligately activate the hippocampal-amygdala complex. The activation of the hippocampal-amygdala complex will trigger in some children the fight or flight stress response. This emergent-threat detection system of the brain restricts memory access, learning association, and depth of thought.

7. This acute stress response includes activation of nervous, endocrine, cardiovascular, and the immune systems.<sup>1 2</sup> These include activation of the limbic part of the brain, release stress hormones (adrenalin, neuro-adrenaline and cortisol), changes in blood flow distribution (vasodilation of peripheral blood vessels and vasoconstriction of visceral blood vessels) and activation of the immune system response (secretion of macrophages and natural killer cells) (see fn 1-2).
8. Additionally, prolonged hypercapnia and hypoxia causes depression and anxiety in children.
9. While acute stress response (seconds to minutes) is adaptive reaction to challenges and part of the survival mechanism, chronic and prolonged state of stress-fear is maladaptive and has detrimental effects on physical and mental health. The repeatedly or continuously activated stress-fear response causes the body to operate on survival mode, having sustained increase in blood pressure, pro-inflammatory state and immunosuppression.<sup>3 4</sup>
10. Based on the scientific literature, individuals who are required to wear masks pursuant to a mandate have the known potential to suffer immediate and irreparable injury, loss, and damage due to the overall possible resulting measurable drop in oxygen saturation of the blood on one hand and the increase in carbon dioxide on the other, which contributes to

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<sup>1</sup> McEwen B.S. Protective and damaging effects of stress mediators. *N Engl J Med.* 1998;338:171–179. [PubMed] [Google Scholar]

<sup>2</sup> McEwen B.S. Physiology and neurobiology of stress and adaptation: central role of the brain. *Physiol Rev.* 2007;87:873–904. [PubMed] [Google Scholar]

<sup>3</sup> Schneiderman N., Ironson G., Siegel, S.D. Stress and health: psychological, behavioral, and biological determinants. *Annu Rev Clin Psychol.* 2005;1:607–628. [PMC free article] [PubMed] [Google Scholar]

<sup>4</sup> Thoits P.A. Stress and health: major findings and policy implications. *J Health Soc Behav.* 2010;51(Suppl):S41–S53. [PubMed] [Google Scholar]

an increased noradrenergic stress response, with heart rate increase and respiratory rate increase and, in some cases, a significant blood pressure increase.

11. Indeed, encountering people who are wearing facemasks activates innate stress-fear emotion, which is fundamental to all humans in danger or life-threatening situations, such as death or unknown, unpredictable outcome.

12. In sum, mask wearing interferes with children's ability to learn, communicate, and receive communication.

13. I reserve the right to supplement this declaration in writing or through oral testimony up to and through the time of a hearing. Supplementation will include testimony and evidence that expands upon the contents of this affidavit as well as necessary information outside of the four corners of this declaration.

On this 27<sup>th</sup> day of September, 2021, I, Daniel W. Stock, pursuant to 28 U.S.C. §1746, declare that I have read the foregoing declaration and the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief, and as to those matters, I believe them to be true.

/s/ **Daniel W. Stock**

Daniel W. Stock, M.D.

# EXHIBIT A

**CURRICULUM VITAE  
DANIEL W. STOCK MD**

Monday, August 16, 2021  
15510 Herriman Blvd, Noblesville, IN 46060  
Cell: 317 345-6916  
[dstock@indy.rr.com](mailto:dstock@indy.rr.com)

**PROFESSIONAL AFFILIATIONS**

Diplomate, American Board of Anti-Aging and Regenerative Medicine,  
12/13/2016

Founding Diplomate, American Board of Clinical Lipidology,  
12/06/2005

DOT Certified, National Registry of Certified Medical Examiners No. 9888856128

Participant in the Metabolic and Nutritional Medicine Fellowship of the Metabolic  
Medical Institute

Adjunct Clinical Professor,  
Indiana University School of Medicine,  
2002-2005

Clinical Assistant Professor,  
Marion University College of Osteopathic Medicine,  
2017

Member, American Academy of Anti-Aging Medicine

Member, National Lipid Association

Member, Midwest Lipid Association

Community Physicians of Indiana Board of Directors, 2006-2008

Volunteer Member, Community Health Network Osteoporosis Committee

Former President, Information and Technology Committee, Community  
Physicians of Indiana

Pilot Site Physician for Centricity EHR implementation, Community Physicians of  
Indiana 2002.

## **EHR SYSTEMS PROFICIENCY**

Centricity/Logician  
Epic Hyperspace  
Nextgen  
iSalus  
Amazing Charts  
DocuTap  
Athena  
Allscripts  
Cerbo/MDHQ

## **EDUCATION**

University of Notre Dame 08/1980-05/1984  
Bachelor of Science in Biology, Suma Cum Laude 05/1984

Indiana University School of Medicine 08/1984-05/1988  
Doctorate of Medicine 05/1988

St. Vincent Hospital, Indianapolis, Indiana 07/1988-06/1989  
Preliminary Rotating Internship

William Beaumont Hospital, Royal Oak, Michigan 07/1991-06/1992  
Ophthalmology

CME last three years: 59.25 category I hours

## **STANDARDIZED TEST SCORES**

American Board of Clinical Lipidology Certifying Examination, November 2005  
Score 94.31% Mean score 88.14%

Ophthalmology Knowledge Assessment Program, April 1992  
Score: 495 Percentile: 74th

National Board of Medical Examiners  
Part III, May 1989 Score: 590 Percentile: 80th  
Part II, September 1987 Score: 575 Percentile: 75th  
Part I, June 1986 Score: 605 Percentile: 85th

Internal Medicine In-Training Examination, April 1989  
Score: 70 Percentile: 90th

## HOSPITAL AFFILIATIONS

Community Heart and Vascular Hospital, consulting privileges  
8075 North Shadeland Avenue  
Indianapolis, Indiana 46250  
05/20/2003-present

Community Hospitals of Indianapolis South, courtesy privileges  
1402 East County Line Road  
Indianapolis, Indiana 46239  
09/15/1995-present

## WORK HISTORY

1 June 2019-Present	Center Medical Director and Laboratory Director, Grifols Plasma, Anderson, IN
3 Mar 2014 – 1 May 2020	Private Family Practice as PureHealth Functional Family Medicine, Noblesville, IN
16 Jan 2018-Nov 2018	Independent Contractor, Consulting Physician, Swiss Wave Indy Clinic Indianapolis, IN
4 October 2016 - 14 September 2017	Employed Family Practice Physician, PMR Healthcare, Madison County Clinic, Anderson, IN
8 July 2016 - 4 November 2016	Employed Part-time Family Practice Physician, Franciscan Immediate Care Centers, Indianapolis, IN
5 April 2016 - 8 July 2016	Employed Part-time Family Practice Physician, American Family Care/Urgent Care, Indianapolis, IN
23 Aug 2015-4 Apr 2016 and 15 Sept 2017-15 Jan 2018	Independent Contractor, locums employer clinic, urgent care, entrance physicals physician for multiple locums companies
6 Dec 2013- 23 Aug 2015	Employed Family Practice Physician, Activate Healthcare, multiple locations Indianapolis and Anderson, IN
15 Sep 1995-5 Dec 2013	Employed Family Practice Physician, Community Health Network,



Indianapolis, IN

1 Apr-30 Jun 1991 and  
10 Aug 1992-14 Sept 1995

Family Practice Physician  
Independent Subcontractor to Hawley  
Medical Associates, Hawley Army  
Community Hospital, Indianapolis, IN

1 Jul 1989-3 Mar 1991

Emergency Room Physician,  
Independent Contractor to National  
Emergency Services. Most services  
rendered at Hawley Army Community  
Hospital, Indianapolis, IN

May-Aug 1985

Extern to Dr. Wallace Zollman, Plastic  
Surgeon, Indianapolis, IN

I have also lectured extensively since 1999 both for industry and CME on  
Lipoprotein Physiology, Hypertension and Osteoporosis

### **PUBLICATIONS**

"Cardiovascular Effects of Beta-Carbolines in Conscious Rats" Wible, J. H., Luft,  
F. C., Stock, D., DiMicco, J. A., Hypertension Research, 1996 Sep;19(3):161-70  
PMID 8891744

### **LICENSES HELD**

Indiana Medical License Number: 01037735A  
Indiana Controlled Substance License Number: 01037735B  
Washington State Medical License Number: 60480109 (inactive)  
Michigan Medical License and Controlled Substance License Number:  
4301057813 (inactive)

### **PROFESSIONAL REFERENCES**

Dr. Scott Nall, DO  
Village Osteopath and Indy Regenerative Medicine  
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